IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA ERIE DIVISION

:

RANDY J. SPENCER,

Plaintiff

Docket No. 1:23-cv-00036-SPB

:

Electronically Filed

v.

:

MATT MCSPARREN, BOB BETZOLD, FRED BUCKHOLTZ, and REGINA

DELOE, ERIC HEIL, and TOWNSHIP OF CRANBERRY

Defendants

JURY TRIAL DEMANDED

THIRD JOINT MOTION TO EXTEND CASE MANAGEMENT DEADLINES

NOW COMES the Plaintiff, Randy J. Spencer and Defendants Matt McSparren, Bob Betzold, Fred Buckholz, Regina Deloe, Township of Cranberry, and Eric Heil and file this Joint Motion to Extend Case Management Deadlines, respectfully representing:

- On June 6, 2023, this Honorable Court entered an Initial Scheduling
 Order setting the close of discovery for October 10, 2023.
- 2. On September 22, 2023 Plaintiff and Defendants filed a Joint Motion for Extension of Time to Complete Early Neutral Evaluation and to Extend Case Management Deadlines.
- 3. On September 27, 2023 this Honorable Court entered a text Order granting that Motion and extending deadline the close of discovery for January 8, 2024.
- 4. On March 5, 2024, Plaintiff and Defendants filed a Second Joint Motion to Extend Case Management Deadlines.
 - 5. On March 5, 2024 this Honorable Court entered a text Order granting that

Motion and extended the deadline for the close of discovery for June 10, 2024.

6. On March 27, 2024, Plaintiff filed a Chapter 13 bankruptcy at the United

States Bankruptcy Court, Western District of Pennsylvania at No. 24-10166-JCM.

7. Counsel for Plaintiff is awaiting the approval of special counsel through

the bankruptcy matter in order to continue representation of Plaintiff in this matter.

8. Plaintiff and Defendant are requesting an additional sixty (60) days to

complete discovery because further discovery is needed to substantiate claims and

defenses asserted by the parties.

9. Plaintiff and Defendants agree to this Motion.

10. The parties do not anticipate the need for an additional extension of time

to complete fact discovery.

11. The parties have attached a proposed Order.

WHEREFORE, Plaintiff and Defendants respectfully request this Honorable

Court grant the requested extension to complete discovery and extend the current Case

Management deadlines by sixty days.

Respectfully submitted,

Lavery Law

DATE: June 10, 2024

By: /s/ Justin Zimmer

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DATE: June 10, 2024 By: /s/ Timothy D. McNair, Esquire

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